IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION
Dated: Nainital: the 20th day of May, 2005
Bail application no. 450 of 2005
Order on the bail application of accused

CRIMINAL SIDE

Hardayal S/o Het Ram
R/o Kulwant Nagar Colony
Police Station - Gadarpur
District - Udham Singh Nagar …. Applicant

Versus

State of Uttaranchal ….Opposite Party

Arising out of case crime No. 507 of 2005
U/S 147, 148, 149, 307, 452, 506 I.P.C.
Police Station - Gadarpur
District - Udham Singh Nagar

Hon'ble B.C. Kandpal, J.

The applicant has applied for bail in case crime No. 507 of 2005, U/S 147, 148, 149, 307, 452, 506 I.P.C., Police Station - Gadarpur, District - Udham Singh Nagar.

Heard Sri Navneet Kaushik learned counsel for the applicant, learned A.G.A. and perused the record.

The record shows that it is a case of cross version as both the sides sustained injury on their persons. The F.I.R. has also lodged by both the sides, i.e., the applicant as well as the complainant. The injuries are also there on the persons from the applicant side.

Keeping in view the aforesaid circumstances, it can not be ascertained at this stage as to which party is aggressive.

Considered the facts and circumstances of the case, I think, it would be just and proper to release the applicant on bail at this stage.

Let the applicant, Hardayal be released on bail on his executing personal bond and furnishing two sureties each in the like amount to the satisfaction of C.J.M. concerned.

(B.C. Kandpal, J.)

May 20, 2005
Shiv